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II. Executive summary

Arab Republic of Egypt

1. Introduction: Overview of the legal and institutional framework of the Arab Republic of Egypt in the context of implementation of the United Nations Convention against Corruption

The Arab Republic of Egypt (Egypt) signed the United Nations Convention against Corruption (the Convention) on 9 December 2003. The Convention was ratified by the President of the Arab Republic of Egypt in resolution 307/2004 of 11 September 2004, which was published in Official Gazette No. 6 of 8 February 2005. Egypt deposited its instrument of ratification of the Convention with the Secretary-General of the United Nations on 25 February 2005.

Egypt is a civil law country. The main sources of its law are the Egyptian Constitution, the laws voted in by its parliament and international law. Egypt's national legal framework against corruption includes provisions that form part of a number of laws, in particular the Penal Code, the Code of Criminal Procedure, the Illicit Gains Act, and the Anti-Money-Laundering Act.

It should be noted that all ratified and published treaties are supported by the force of the law in Egypt. The provisions of such treaties, with the exception of those in which a punishment or coercive measure must be applied, are implemented automatically without the need for legislative intervention (art. 151/1 of the Constitution).

Egypt possesses several mechanisms and agencies for combating corruption, including the Administrative Control Authority, a number of specialized prosecutor's offices, the Department of Illicit Gains of the Ministry of Justice, the Directorate General for Combating Financial Crime of the Ministry of the Interior, and the Unit for Combating Money-Laundering and the Financing of Terrorism. Egypt has also established a National Coordination Committee against Corruption.

2. Chapter III: Criminalization and law enforcement

2.1. Observations on the implementation of the articles under review

Bribery and trading in influence (arts. 15, 16, 18 and 21)

The Egyptian legislature has made it an offence, under the Penal Code, to bribe public officials (art. 107 bis, together with arts. 103-105). This constitutes an offence even if the promise or offer is not accepted by the public official (art. 109 bis).

Under articles 103-105 of the Penal Code, it is a crime for a public official to accept or take a donation or promise, either for themselves or for a third party, in exchange for performing or refraining from performing any of the duties of their function.

Both the briber and the mediator are subject to the same punishment as the bribe-taker. The briber and the mediator are exempted from punishment if they inform the authorities about the crime or if they confess to it (art. 107 bis).

Bribery of foreign public officials or officials working for public international organizations is not criminalized under Egyptian law.

The Penal Code criminalizes any act in which the offender offers a promise or donation to a public official or any other person in order to encourage them to exert any real or supposed influence they may possess (art. 107 bis and art. 106 bis). This constitutes an offence even if the promise or offer is not accepted (art. 109 bis).

Article 106 bis of the Penal Code criminalizes any act in which a public official or any other person accepts or requests, on behalf of themselves or a third party, a donation or promise in exchange for exerting their real or supposed influence with a view to obtaining an undue advantage of any kind.

Under article 107 bis and articles 106 and 106 bis A of the Penal Code, the act of promising, offering or giving a bribe in the private sector is criminalized. This constitutes an offence even if the promise or offer is not accepted (art. 109 bis).

Soliciting or accepting bribes in the private sector is also criminalized under articles 106 and 106 bis A of the Penal Code.

Money-laundering, concealment (arts. 23 and 24)

The Egyptian legislature has criminalized the laundering of criminal proceeds under article 2 of the Anti-Money-Laundering Act No. 80 of 2002 and its amendments, the most recent of which is resolution No. 36 of 2014.

Any act that is considered to be a felony or a misdemeanour under Egyptian law could constitute a predicate offence for money-laundering, regardless of whether it was committed within the country or abroad, as long as the offence is punishable in both countries (art. 1c of the Anti-Money-Laundering Act). The persons who committed the predicate offence are not excluded from being prosecuted for the crime of money-laundering.

The law also criminalizes participation and cooperation in the crime of money-laundering, together with conspiring to commit the crime and facilitating, aiding or encouraging the crime, under the general provisions on criminal participation as set out in the Penal Code (arts. 40, 41, 43, 44 and 45). The act of providing advice is included as an act of assistance as set out in article 40, which refers to "assisting them in any other way". All attempts to launder money are criminalized under article 2 of the Anti-Money-Laundering Act.

Article 44 bis of the Penal Code criminalizes the concealment of stolen objects and of objects obtained through felonies or misdemeanours as a separate offence.

Embezzlement, abuse of functions and illicit enrichment (arts. 17, 19, 20 and 22)

Article 112 of the Penal Code criminalizes embezzlement, but it does not explicitly cover acts of diversion or misappropriation. Such acts are punishable under article 116 bis, however, which comprehensively criminalizes deliberate damage caused to any interests or funds belonging to the organization for which the public official works or with which the official has some connection through their job, as well as to any other interests or funds entrusted to that organization. Similarly, the act of "misappropriation" is covered by article 113 of the Penal Code, which criminalizes the act of helping a third party to perform an act of embezzlement.

The abuse of functions is criminalized under article 115 of the Penal Code.

Egypt has a specific law that criminalizes illicit gain (Act No. 62 of 1975 on illicit gains). The termination of criminal proceedings due to death does not preclude the restitution of the illicit gains (art. 18).

Embezzlement in the private sector is criminalized under article 341 of the Penal Code on the abuse of trust. Article 113 bis of the Penal Code specifically covers embezzlement by the chair, board member, director or employee of a joint-stock company.

Obstruction of justice (art. 25)

Article 300 of the Penal Code criminalizes the act of inciting a witness not to give testimony or to give false testimony, including through the use of physical force, threats or intimidation. Article 298 covers the act of promising, offering or providing an undue advantage in order to obtain a false testimony, where testimony has been given. The act of inciting false testimony in cases where the testimony was obtained under influence is punishable under article 40 on criminal participation, together with article 294 on giving false testimony in cases involving a felony and article 296 on giving false testimony in cases involving a misdemeanour or violation. The act of using physical force, threats or intimidation or of promising, offering or providing an undue advantage in order to incite a witness to provide evidence in proceedings relating to any of the offences established in accordance with the Convention is punishable under article 40 on criminal participation, together with article 145 on concealing evidence of a crime or providing false information about a crime.

Article 137 bis A of the Penal Code criminalizes the use of force, violence or threats against a public official or any person charged with providing a public service in order to unjustly force that person to perform or refrain from performing any of the duties of their function.

Liability of legal persons (art. 26)

Egyptian legislation does not provide for the criminal liability of legal persons with regard to offences established in accordance with the Convention, except for the crime of money-laundering (art. 16 of the Anti-Money-Laundering Act). The civil liability of legal persons for criminal acts committed by their agents can be ascribed under the provisions of article 174 of the Civil Code.

Although the administrative responsibility of legal persons is set out in a number of laws, it does not extend to crimes of corruption.

The liability of legal persons, where established, does not prejudice the criminal liability of the natural persons who committed the crimes.

Participation and attempt (art. 27)

Articles 40, 41 and 42 of the Penal Code criminalize participation in crimes (participation, incitement, agreement and all forms of assistance). These articles apply to offences established in accordance with the Convention.

According to the Penal Code, participation in felonies is punishable in all cases except those excluded by special provisions (art. 46). With regard to misdemeanours, participation is punishable only under specific provisions (art. 47).

Participation in an offence established in accordance with the Convention is punishable under Egyptian law, except for acts of bribery in the private sector, embezzlement of property in the private sector and inciting a person to give false testimony.

The mere act of deciding to commit an offence or of preparing to commit an offence is not punishable under the Penal Code (art. 45).

Prosecution, adjudication and sanctions; cooperation with law enforcement authorities (arts. 30 and 37)

The sanctions for offences established in accordance with the Convention range from fines to life imprisonment, depending on the seriousness of the offence. Immunities do not constitute an impediment to the prosecution of such crimes. Certain categories of public officials are granted procedural immunity by Egyptian law, but members of the government and the state administration do not hold any special immunity.

Egypt has adopted the principle of mandatory prosecution.

Detainees may be released pending trial, with or without bail. Under article 52 of the Prisons Act, detainees may be granted conditional release from imprisonment if they have already served three quarters of their sentence.

The Administrative Control Authority may request that a public official be dismissed or removed temporarily from their position if it is in the public interest. This is to be decided by the chair of the executive board.

Under article 25 of the Penal Code, any person who has been subject to criminal sanctions is not allowed to provide government services of any kind. Article 15 of Civil Service Act No. 18 of 2015 sets out the conditions applicable to persons appointed to public service, under which persons who have previously been sentenced to criminal sanctions or imprisonment for crimes involving immorality or dishonesty are not eligible to be appointed to positions of public service, unless they have been rehabilitated. Persons convicted of offences established in accordance with the Convention are not allowed to hold positions in any organization that is either wholly or partly owned by the State in accordance with a number of laws, in particular Act No. 159 of 1981 on joint-stock companies, private limited companies and limited liability companies (art. 89) and Act No. 203 of 1991 on public sector companies (arts. 1, 4 and 44).

Criminal sanctions do not prevent the competent authorities from exercising their disciplinary powers with regard to civil servants.

Egypt runs prisoner rehabilitation programmes, as well as programmes to support released prisoners and to help them reintegrate into society.

Egyptian law does not grant immunity from prosecution to persons who offer to assist with the investigation; the accused can only be exempted from punishment by judicial decision and in accordance with the conditions established by law (arts. 107 bis and 118 bis of the Penal Code and art. 17 of the Anti-Money-Laundering Act).

Egyptian law does not provide for the protection of persons who collaborate with the justice system.

Protection of witnesses and reporting persons (arts. 32 and 33)

Egyptian legislation does not provide for the protection of victims, witnesses, experts or reporting persons. The National Coordination Committee against Corruption has proposed a bill in order to provide such protection.

Freezing, seizing and confiscation; bank secrecy (arts. 31 and 40)

Article 30 of the Penal Code provides for the confiscation of seized items derived from felonies or misdemeanours, including any seized weapons or equipment that were used in the crime or that were intended to be used.

Property equivalent in value to the criminal proceeds, or any property into which those proceeds were transformed, may be frozen, seized and/or confiscated in possible cases of money-laundering or illicit gains and in crimes involving the embezzlement of public funds.

This is not provided for, however, in crimes of corruption (in either the public or the private sector), nor in cases of trading in influence or embezzlement of private funds.

The Egyptian legislature has not provided for the possibility of freezing, seizing or confiscating income or other benefits derived from the criminal proceeds of any of the offences established in accordance with the Convention, except for the crime of money-laundering.

The Code of Criminal Procedure grants broad powers to judicial police officers so that they may conduct inquiries into crimes and their perpetrators and collect the evidence required to investigate each case. Under article 208 bis A, the competent criminal court, at the request of the Prosecutor General's Office, may order interim measures to be taken with regard to the accused's property in order to prevent the accused from disposing of or managing that property. This is applicable to a number of crimes, including crimes of corruption. The Prosecutor General may, where necessary and in urgent cases, temporarily order such measures to be taken.

Under article 5 of the Anti-Money-Laundering Act, the Unit for Combating Money-Laundering and the Financing of Terrorism may investigate and examine all notifications and information received in connection with activities suspected of being predicate offences or of involving money-laundering or the financing of terrorism, and it may request that the Prosecutor General's Office take provisional measures.

Egypt has a mechanism for the management of withheld funds, which is based primarily on the provisions of the mandate set out in the Civil Code. A General Department of Withheld Funds was created in 1999 on the order of the Prosecutor General, in addition to the Unit for Withheld Funds in the Department of Illicit Gains and the Department of Confiscated Funds in the Ministry of Finance.

Under articles 97 and 98 of the Central Bank Act, banking secrecy does not constitute an impediment to criminal investigation. The Cairo Appeals Tribunal can, at the request of the Prosecutor General's Office, consult or obtain data or information held at any bank where necessary in order to uncover the truth behind a felony or misdemeanour, where supported by tangible evidence for the existence of such data. The Prosecutor General, or any authorized public lawyer, may directly

order a bank to provide them with, or give them access to, data or information held at that bank where necessary in order to uncover the truth behind a crime. This is applicable to a number of crimes, including money-laundering.

Offenders are not obliged to demonstrate that the sources of any criminal proceeds are legal except in cases of illicit gain (art. 2 of the Illicit Gains Act).

Statute of limitations; criminal record (arts. 29 and 41)

Under article 15 of the Code of Criminal Procedure, criminal proceedings lapse after 10 years for felonies and after three years for misdemeanours. The statute of limitations for all offences established in accordance with the Convention is therefore 10 years from the date that the crime took place, excluding in acts of corruption in the private sector, embezzlement of property in the private sector and inciting a person to give false testimony, for which the statute of limitations is three years.

This term may be interrupted by investigation, arrest or trial, or by criminal procedures or evidence-gathering, where carried out with regard to the accused or where official notice is given.

The statute of limitations begins on the date that the crime took place, except for crimes involving the embezzlement of public funds, the abuse of functions or the embezzlement of property in joint-stock companies, where the limitation period applies from the date that the staff member left their post or the date that their employment expired, unless the investigation began before that point.

The law does not allow prior convictions issued against the alleged offender in other States to be taken into account during criminal proceedings.

Jurisdiction (art. 42)

Egypt has established its jurisdiction over most of the cases referred to in article 42, with the exception of crimes of corruption committed abroad by stateless persons whose place of habitual residence falls within Egyptian territory and crimes of corruption committed against Egypt or its citizens. Egyptian law includes no specific provision in which the principle of *aut dedere aut judicare* is enshrined, however, in particular in cases where Egypt has no jurisdiction over the criminal act.

Consequences of acts of corruption; compensation for damage (arts. 34 and 35)

The Civil Code includes a general provision (art. 125) which establishes that any act of fraud or deception renders a legal instrument void. This is a general legal principle which is used by the administration to support its requests to annul contracts that result from crimes of corruption.

Egyptian law allows for the payment of compensation for acts of corruption that have caused damage to third parties, in particular in accordance with the general rules of the Civil Code, under which compensation may be awarded for wrongful acts (art. 163).

Specialized authorities and inter-agency coordination (arts. 36, 38 and 39)

Egypt has a number of bodies and agencies for combating corruption, of which the most notable is the Administrative Control Authority. This is an independent body that is responsible for exercising all forms of administrative and financial oversight and for identifying any criminal offences carried out by staff members while performing the duties of their posts. It is also entrusted with combating administrative corruption. Its jurisdiction extends to agencies and branches of the government, public and private bodies and institutions, and private sector bodies responsible for public works. It has adequate resources — including financial, technical and human resources — to perform its functions.

Egypt has also established a number of specialized prosecution departments, which play an important role in the fight against corruption: the Supreme Prosecution Office for State Security, the Supreme Prosecution Office for Public Funds, the Prosecution Office for Financial and Trade Affairs, and the Administrative Prosecution Authority.

In addition to these agencies, there is the Department of Illicit Gains of the Ministry of Justice, the General Department for Combating Crimes involving Public Funds of the Ministry of the Interior and the Unit for Combating Money-Laundering and the Financing of Terrorism. Egypt has also established a National Coordination Committee against Corruption.

With regard to cooperation between national authorities, under article 26 of the Code of Criminal Procedure, if a public official or an official in the public service has knowledge of a crime, they are obliged to report it immediately to the Prosecutor General's Office. Similarly, under article 7 of the Anti-Money-Laundering Act, the competent authorities are obliged to inform the Unit for Combating Money-Laundering and the Financing of Terrorism of any information they may possess concerning crimes of money-laundering. Egypt had established a National Coordination Committee to combat money-laundering and the financing of terrorism.

With regard to cooperation between national authorities and the private sector, under article 8 of the Anti-Money-Laundering Act, financial institutions, professionals and non-financial businesses are obliged to inform the Unit for Combating Money-Laundering and the Financing of Terrorism of any activities suspected of constituting a predicate offence or of involving money-laundering or the financing of terrorism.

A number of hotlines have been set up to receive complaints and reports. These include hotlines for receiving reports from the oversight bodies, such as the Administrative Control Authority and the Department of Public Funds.

2.2. Successes and good practices

Overall, the following successes and good practices in implementing Chapter IV of the Convention are highlighted:

- The criminalization of public officials who receive a reward as compensation following the completion of the duties of their position (art. 105 of the Penal Code);

- The fact that the termination of criminal proceedings due to death in cases of illicit gain does not preclude the restitution of the illicit gains (art. 18 of Act No. 62 of 1975 on illicit gains);
- The fact that the statute of limitations in cases of corruption, influence-peddling, embezzlement of public funds, abuse of functions and embezzlement of property in joint-stock companies applies only as of the date that the staff member left their post or their employment expired, unless the investigation began before that date (art. 15 of the Code of Criminal Procedure, as amended by Act No. 6 of 2015);
- The fact that, in cases involving the illicit use of public funds, reparations may also be applied to funds held by the accused's spouse and children, where confirmation can be found that those funds were given to them by the accused and that they are proceeds of the offence in question. The termination of the criminal proceedings due to death does not preclude the criminal justice system, in cases involving the illicit use of public funds, from applying reparations in an effective manner with regard to the funds held by heirs, legatees and all those who benefited considerably from the crime, according to the degree to which each of those persons benefited (art. 208 bis of the Code of Criminal Procedure).

2.3. Challenges in implementation

The following steps could further strengthen existing anti-corruption measures:

- Criminalize the bribery of foreign public officials and officials of public international organizations (art. 16, para. 1);
- Consider criminalizing the acceptance of bribes by foreign public officials and officials of public international organizations (art. 16, para. 2);
- With regard to the protection of witnesses and reporting persons (arts. 32 and 33):
  - Take appropriate measures to provide effective protection against potential retaliation or intimidation for witnesses and experts who give testimony in relation to any offences established in accordance with the Convention, as well as for their relatives and other persons close to them, as appropriate. Such measures must apply to victims if they act as witnesses and to any accused persons who help in the investigation or prosecution of any offences established in accordance with the Convention;
  - Take the necessary measures to enable the views and concerns of victims to be presented and considered at appropriate stages of criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence;
  - Consider adopting appropriate measures to provide protection against any unjustified treatment for any person who reports to the competent authorities, in good faith and on reasonable grounds, any instance of illegal activity as established in the Convention;
- Adopt the necessary measures to enable the freezing, seizing and confiscation of property equivalent in value to the criminal proceeds derived from crimes of corruption (in both the public and the private sector), trading in influence

and embezzlement of funds, or any property into which those proceeds were transformed;

- Adopt the necessary measures to enable the freezing, seizing and confiscation of any income or other benefits derived from the criminal proceeds of offences established in accordance with the Convention;
- Egypt is encouraged to consider including in its legislation a provision in which the principle of *aut dedere aut judicare* is explicitly enshrined.

3. Chapter IV: International cooperation

Egyptian general law contains no provisions on international judicial cooperation; however, a bill has been submitted by the Prosecutor General's Office in this regard, in which all aspects of such cooperation are examined, in particular judicial assistance, the extradition of criminals, the transfer of convicted persons, and the transfer of criminal proceedings. The bill is currently under consideration by the Legislation Section of the Ministry of Justice, with a view to presenting it to Parliament at its first session.

3.1. Observations on the implementation of the articles under review

Extradition (art. 44)

Egyptian general law contains no detailed provisions on extradition, despite the fact that a number of bills have been presented concerning international judicial cooperation, according to which cooperation of this kind must be addressed in line with the rules set out in the international conventions or on the basis of the principle of reciprocity (art. 18 of the Anti-Money-Laundering Act).

In practice, extradition requests are sent to the Cooperation Section of the Ministry of Justice (the central authority), then referred to the Prosecutor General's Office. The Prosecutor General makes the final decision as to whether to approve or reject the request, against which decision an appeal may be made.

Furthermore, the President of the Arab Republic of Egypt may, pursuant to Act No. 140 of 2014, approve the extradition of accused persons and the transfer of sentenced persons where it is in the supreme interest of the State, on the request of the Prosecutor General and with the approval of Parliament.

Egypt cannot grant extradition in the absence of dual criminality.

Egypt does not make extradition conditional on the existence of a treaty. In cases involving offences established in accordance with the Convention, the perpetrator may be subject to extradition, in accordance with the direct application of the provisions of the United Nations Convention against Corruption (art. 151/1 of the Egyptian Constitution). Egyptian law does not consider these crimes to be political offences and it does not require that a given period of imprisonment be imposed in order to accept extradition requests.

Although some bilateral treaties concluded between Egypt and other States concerning extradition provide for a number of procedures aimed at accelerating the handling of extradition requests, a panel of experts was unable to establish how effective, clear or expeditious those procedures were.

Egypt may detain any person in Egyptian territory for whom extradition is sought or may take other appropriate measures to ensure their presence at extradition proceedings, in accordance with the provisions of a number of bilateral agreements on extradition that address the matter.

Egypt does not extradite Egyptian nationals (art. 62 of the Constitution). The principle of *aut dedere aut judicare* is recognized in Egypt, but it is not regulated by statutory law.

The enforcement of foreign criminal sanctions may be considered in exceptional circumstances where regulated by bilateral or multilateral treaties.

Guarantees of fair treatment are provided in the Constitution and the Code of Criminal Procedure and are applicable in extradition proceedings.

Neither the Egyptian law nor the bilateral agreements on extradition concluded between Egypt and other States provide for the refusal of an extradition request on the sole ground that the offence concerns financial matters.

Egypt has concluded a wide range of bilateral treaties on extradition and is party to several multilateral agreements on the same issue.

Transfer of sentenced persons; transfer of criminal proceedings (arts. 45 and 47)

Egypt has concluded a number of bilateral and regional agreements on the transfer of sentenced persons, which provide for the transfer of sentenced persons who have committed an offence established in accordance with the Convention.

Mutual legal assistance (art. 46)

Egyptian general law contains no detailed provisions on mutual legal assistance, despite the fact that a number of bills have been presented concerning international judicial cooperation, according to which cooperation of this kind must be addressed in line with the rules set out in the international conventions or on the basis of the principle of reciprocity (art. 18 of the Anti-Money-Laundering Act). This also applies to the terms concerning dual criminality included in those conventions.

Egypt has designated the International Cooperation Section of the Ministry of Justice as the central authority, and has furnished the Secretary-General of the United Nations with this information.

In accordance with most of the conventions and measures on this issue, the application must be presented in writing, or orally in urgent cases, and confirmed in writing in the language of the requesting State, accompanied by a certified translation in English, French or the language of the State that has received the request. In the absence of an agreement with the requesting State, the application is to be made in Arabic, or in English for non-Arabic-speaking States.

Egypt may provide assistance regardless of whether or not a treaty is in place and in the absence of dual criminality. The same range of coercive measures that are available in domestic criminal proceedings can also be used when providing mutual legal assistance. The same provisions apply to requests for mutual legal assistance concerning both physical and legal persons.

Egypt may send any information relevant to criminal matters to other countries automatically, without the need for a formal request.

Egypt has no integrated legal rules on conducting investigations via video. However, a number of bills concerning this possibility are currently under consideration.

Neither bank secrecy nor the mere fact that the offence is thought to involve fiscal matters are grounds for refusing to provide mutual legal assistance.

Egypt does not have any domestic procedures for the transfer or reception of detained persons or of persons who are serving prison sentences.

Egypt complies with requests to maintain confidentiality surrounding any given request and its contents, in direct accordance with the Convention. On the same basis, Egypt also provides mutual legal assistance in line with the provisions of article 46 of the Convention when dealing with requests made by States Parties to the Convention that have not entered into a treaty with Egypt on the issue.

Egypt has concluded a number of bilateral and multilateral treaties on mutual legal assistance.

Law enforcement cooperation; joint investigations; special investigative techniques (arts. 48, 49 and 50)

A number of channels of direct communication operate between the Egyptian law enforcement authorities and their counterparts in other States. Egypt cooperates with other States with regard to crimes through the international cooperation channels of the Ministry of the Interior (National Security Section), INTERPOL Cairo, the International Cooperation Section of the Ministry of Justice, the International Cooperation Office of the Prosecutor General's Office, and the Unit for Combating Money-Laundering and the Financing of Terrorism.

Egypt has a wide range of tools for communication and analysis at international level. Standard communication channels are used, in addition to secure covert channels such as INTERPOL's I-24/7 database and the Egmont Secure Web system (ESW).

Egypt has entered into bilateral and multilateral agreements and arrangements on direct cooperation with law enforcement bodies in other States Parties to the Convention. The Prosecutor General's Office has produced a number of memorandums on direct cooperation and on opening up direct channels of communication with counterparts in other States. The Unit for Combating Money-Laundering and the Financing of Terrorism has also signed 19 memorandums with its foreign counterparts. Egypt considers the Convention to be the basis for mutual cooperation in enforcing the law with regard to the crimes set out therein.

Egypt has no legislation, agreements or arrangements on joint investigations.

For offences established in accordance with the Convention, measures permitted in the Code of Criminal Procedure may be taken when performing special investigative techniques, including communication surveillance and conversation recording, after obtaining permission from the investigating judge. Egypt may use controlled deliveries and undercover operations in corruption cases.

3.2. Successes and good practices

Overall, the following successes and good practices in implementing Chapter IV of the Convention are highlighted:

- Egypt has adopted a flexible approach to extradition, both when using the Convention as a legal basis and in the absence of a treaty on extradition (art. 44, paras. 5-7);
- Egypt can provide mutual legal assistance in the absence of dual criminality (art. 46, para. 9).

3.3. Challenges in implementation

The following steps could further strengthen existing anti-corruption measures:

- Consider adopting specific, detailed legislation on international cooperation that covers the issues of extradition and mutual legal assistance;
- Take the additional steps needed to strengthen mutual legal assistance when provided with a view to identifying, tracing and freezing the proceeds of crime and recovering lost assets, in accordance with the provisions of chapter V of this Convention;
- Consider adopting domestic procedures for the transfer and reception of persons in custody and persons who are serving prison sentences (art. 46, paras. 10-12);
- Consider approving legislation on the transfer of criminal proceedings (art. 47);
- Consider concluding bilateral or multilateral arrangements or agreements that would enable the competent authorities to establish joint investigative bodies (art. 49).